

REMARKS

Reconsideration of the above-referenced application is respectively requested in view of the above amendments and these remarks. Claims 5-7 are currently pending.

Claims 5-7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over PICMG 2.16 Revision 1.0, titled "Packet Switching Backplane Short Form Specification" referred to as Prior Art 1 in view of United States Patent Application Publication No. 2005/0036506 A1 to Dove and United States Patent No. 6,947,410 to Schwartz. Applicants have reviewed the Final Office Action and the comments made therein and traverse the rejection. In particular, Applicant avers that the cited combination does not disclose, teach or suggest the claimed an aggregation card that is a node card fitting into a node slot on the backplane where the aggregation card includes the Ethernet bridging unit and that the node slots are connected to the aggregation slot in the claimed manner. Applicants statements regarding the patentable distinctions between the claims and the cited references made on September 6, 2007 are incorporated and repeated here.

Applicant emphasizes that the aggregation slot and the aggregation card are a specialized node slot and node card that are not disclosed by the cited references. In the Response to Arguments section of the Final Office Action, it is alleged that Schwartz's switch card is equivalent to the aggregation card having the Ethernet bridging unit. Applicant continues to traverse this interpretation of Schwartz. As stated, the claimed aggregation card is a specialized node card that includes the claimed Ethernet bridging unit. This combination transforms a node-slot/node-card combination into the aggregation slot having Ethernet functionality.

It appears from the Final Office Action that since Schwartz's backplane switch 12 is installed into backplane either directly or by way of a circuit card is sufficient to state that it is equivalent to transforming a node-slot/node-card combination with the claimed connections between one of the node slots serving as the aggregation slot and the remaining node slots. As seen in the claims, however, Applicant includes the combination of connecting the aggregation slot, which is a node slot, with the remaining node slots in a prescribed way so that the aggregation card with the Ethernet bridging unit can provide the Ethernet functionality for the claimed data processing system.

Applicant respectfully submits that Schwartz does not disclose any information on transforming the node-slot/node-card combination as required. Schwartz discloses a switch card that performs the standard switch functions known to those of ordinary skill in the art. In particular, Schwartz discloses a switch that is connected to a backplane whether it is a switch card or function on another card that is inserted into the backplane. Schwartz does not disclose the Ethernet bridging unit on the node card, i.e. aggregation card, that connects to other node cards. In view of the foregoing, Applicant's arguments regarding the differences between the claims and Schwartz are still applicable.

Applicants also emphasize the claimed point-to-point connections between the aggregation slot/node and the node slot/cards together with the Ethernet bridging unit creating the Ethernet environment is not disclosed by the cited references. According to the Final Office Action, Prior art 1 and Dove show this combination apparently because Prior art 1 discloses the connection between node slots and Dove uses the word Ethernet and shows how transmit and receive pins can be connected. Applicants traverse this interpretation of Prior art 1 and Dove. Figure 6 of Prior art 1 shows the dedicated links between the node slots and the fabric slots. The claimed invention, however, does not claim links between the node slots and fabric slots. The claimed invention requires that there be dedicated links between a node slot and an aggregation slot, and as stated above the aggregation slot is a specialized node slot. In other words, the claims require dedicated links between node slots, and Prior art 1 discloses dedicated links between the node slot and fabric slot where the fabric slot is not a node slot. Dove does not disclose any details that overcome that Prior art 1 does not show the dedicated links between the claimed node slot and aggregation slot. Dove's mentioning of an Ethernet and the mentioning of transmit pins being connected to receive pins does not transform Prior art 1's dedicated links between a node slot and a fabric slot into being a dedicated links between a node slot and an aggregation slot, which is another node slot.

The invention is a novel use of the defined PICMG 2.16 standard, which defines that node cards are connected to two specific switch hubs through a dual-star Ethernet fabric. The claims are directed to a node card that features an Ethernet bridging unit and that functions as a switch hub as well as a node card. This save costs in small systems

with only 2 or 3 cards. The backplane interconnects with the node cards in a specific fashion such that no change to any node cards is required.

In view of the foregoing, it is respectfully submitted that the cited combination of Prior Art 1, Dove and Schwartz does not disclose, teach or otherwise suggest the claimed aggregation card that comprises a node card that is equipped with an Ethernet bridging unit and a external Ethernet connector and where the Ethernet bridging unit connects to Ethernet transmit and receive pins of the aggregation slot so that the bridging unit bridges between a direct point-to-point Ethernet connection between the node slots and the aggregation slots. Applicant therefore respectfully submits that claim 5 is patentable over the cited combination. As claims 6 and 7 depend upon and include the limitations of claim 5, Applicant also submits that these dependent claims are patentable over the cited combination for the same reasons. Applicant requests that this rejection under Section 103(a) be withdrawn.

As the Applicant has overcome all substantive rejections and objections given by the Examiner and have complied with all requests properly presented by the Examiner, the Applicant contends that this Amendment, with the above discussion, overcomes the Examiner's objections to and rejections of the pending claims. Therefore, the Applicant respectfully solicits allowance of the application. If the Examiner is of the opinion that any issues regarding the status of the claims remain after this response, the Examiner is invited to contact the undersigned representative to expedite resolution of the matter.

Serial No. 10/737,362
Carr
Case No. MCG00333

Please charge any fees associated herewith, including extension of time fees, to
50-2117.

Respectfully submitted,
Carr, Brian Andrew

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